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mm Docket 92-266
Leased Access

AUG 30 1994

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Watson Broadcasting Of PensacolaFEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Community TV

WBOP-TV W12CN

3101 North H Street

P O Box 3316

Pensacola Florida 32505

Telephone: (904) 433-1210 (Studio)

(904) 457-9536 (Station)

(904) 457-1966 (Fax)



Channel 12

August 24, 1994

Federal Communication Commission

Cable TV/Lease Access

2033 M Street SW #804J

Washington, DC 20554

Dear FCC:

I am a Black-owned Low Power TV Station (W12CN) owner in Pensacola, Florida. Race shouldn't matter, but I think in my case it may have a bearing in my situation. I am having an extremely difficulties gaining access to the cable systems in my area via LEASED ACCESS or other means. Once it is revealed that the station is black owned or the programming is catered to the African-American community, there seems to be very little interest on the part of cable officials. We have three major cable systems represented in the Greater Pensacola area. None to date has seriously dealt with me regarding gaining access to their cable systems. Two of cable systems have not bothered to return my many phone calls and letters. The other one has returned my calls and letters for the past two years, but not in good faith seriously offered reasonable rates for leased access time. I was quoted a figure \$48,000 a month to lease a channel.

Minority access to broadcast media is very limited at best. To be denied access due to outrageous fees is "intentional" institutional discrimination. Low Power TV has given women and minority groups for the first time in broadcast history an opportunity to enter a field that is dominated by white males. To take that opportunity away by denying access to a cable media that virtually control the television viewing industry is like being given the right to vote, but being assessed poll taxes that only the privilege can afford. Small LPTVs and independent producers do not generate the kind of revenues to support outrageous fees.

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Cable companies are not complying with the spirit and intent of the law with respect to leased access. They quote outrageous fees to keep non-cable affiliates off the system and not have them in direct competition with their channels. The cable companies are using the FCC's formula to justify these outrageous figures and stating that the FCC is the reason they are having to charge so much. The bottomline is that the cable companies are using an outrageous fees structure to deny access to a cable system because they rather not have services. Cable systems should be required serve the public interest.

"Must Carry" or reasonable "Leased Access" rates are a must for small minority owned stations. Personally, if I don't get some relief soon, I will be forced into bankruptcy. The overwhelming reasons given by advertisers for not doing business with me is simply because I'm not on the cable system. The sad part in my case is that I literally took my life's saving in hopes of pursuing the American's dream, now faced with a nightmare of the possibility of losing it all because there is little to no governmental protection to minimize my risk in the LPTV or Leased Access industry.

RECOMMENDATIONS:

- (A). That the FCC adopts or requires reasonable rate policy for leased access.

Cable companies should not be allowed to charge a leased access customers more than what they pay a cable related programmers for their programming. For example, if the cable company pays a cable programmer \$0.01 per subscriber for programming, then the leased access customers should pay no more than what the minimum rates the cable companies are paying for their programming. A policy on leased access rates should be established somewhat similar to the policy established for political candidates advertising rates.

or

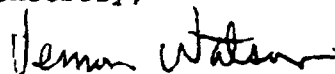
- (B). "Must Carry" for bona fide minority or women channels

or

- (C). Establish an incentive plan for cable companies to want to carry minority, women or educational channels

Should you have questions on my proposal, I more than happy to respond. I can be contacted at the above number.

Sincerely,



Vernon Watson